



Order Filed on May 26, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS CITRON, LLC
130 Clinton Road, Suite 202
Fairfield, New Jersey 07004
Telephone Number: 973-575-0707
Attorneys for Secured Creditor

Shauna Deluca, Esq. (SD-8248)

In Re:

Michael S Weston,

Debtor.

Case No.: 18-21762-RG

Chapter: 13

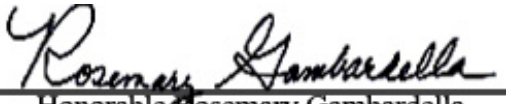
Hearing Date: May 20, 2020

Judge: Rosemary Gambardella

**AGREED ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: May 26, 2020



Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Secured Creditor: HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR
NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST,
SERIES 2007-2

Secured Creditor's Counsel: RAS CITRON, LLC

Debtor's Counsel: Scott D. Sherman

Property Involved ("Collateral"): 11 Camelot Way, Parsippany, NJ 07054

Relief sought: ■ Motion for relief from the automatic stay

The Debtor is in default of the parties Agreed Order Resolving Secured Creditor's Motion for Relief from the Automatic Stay entered on June 17, 2019. For good cause shown, it is **ORDERED** that Applicant's Certification is resolved, subject to the following conditions:

1. Status of post-petition arrearages as of April 9, 2020:

- The Debtor is overdue for 5 months from 12/01/2019 through 04/01/2020.
- The Debtor is overdue for 5 payments from 12/01/2019 through 04/01/2020 at \$3,178.77 per month.

Funds Held In Suspense \$0.00

Total Arrearages Due \$15,893.85

2. Debtor must cure all post-petition arrearages, as follows:

- The Debtor shall make a lump-sum payment in the amount of \$6,357.54 directly to Secured Creditor within 10 days of entry of this Order.

- Beginning on 05/01/2020, regular monthly mortgage payments shall continue to be made directly to Secured Creditor in the amount of \$3,178.77. This amount is subject to change based on escrow and/or interest rate adjustments.

- The amount of \$9,536.31 shall be capitalized into the Debtor's Chapter 13 plan. ~~Debtor must file a Modified Plan, and Schedules I and J within fifteen (30) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.~~

SDS

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

■ Immediate payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

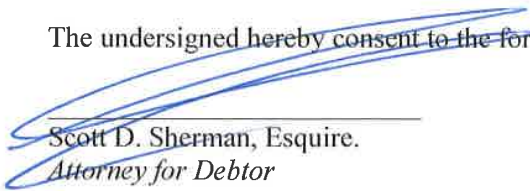
■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$200.00
The fees and costs are payable:
 - Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.



Scott D. Sherman, Esquire.
Attorney for Debtor
Date:

/s/ Shauna Deluca

Shauna Deluca, Esquire.
Attorney for Secured Creditor
Date: May 18, 2020

Certificate of Notice Page 5 of 5

United States Bankruptcy Court
District of New JerseyIn re:
Michael S Weston
DebtorCase No. 18-21762-RG
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: May 28, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 30, 2020.

db +Michael S Weston, 11 Camelot Way, Parsippany, NJ 07054-1407

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 30, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 28, 2020 at the address(es) listed below:

Aleisha Candace Jennings on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2
ajennings@rasflaw.com

Harold N. Kaplan on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 hkaplan@rasnj.com, informationathnk@aol.com

John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company, LLC, servicer for CAB EAST LLC ecfmail@mortoncraig.com, mortoncraige@cf@gmail.com

Laura M. Egerman on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com

Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as Trustee of SW REMIC Trust 2014-2 rsolarz@kmlawgroup.com

Scott D. Sherman on behalf of Debtor Michael S Weston ssbankruptcy@minionsherman.com

Shauna M Deluca on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 sdeluca@rasflaw.com

Sindi Mncina on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 smncina@rascrane.com

Sindi Mncina on behalf of Trustee Marie-Ann Greenberg smncina@rascrane.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11